

# ARIZONA RACING COMMISSION

603<sup>RD</sup> REGULAR MEETING

WEDNESDAY, MARCH 09, 2011

## MINUTES OF REGULAR MEETING

A public meeting of the Arizona Racing Commission was convened on Wednesday, March 09, 2011, beginning at 10:05 a.m. in the Building Conference Room, Suite 250, at 1110 West Washington Street, Phoenix, Arizona 85007.

### Present – All members present:

Chair	Paul Ulan
Vice-Chair	A. Mel McDonald (Telephonically)
Commissioner	Thomas E. Kelly
Commissioner	Erin Owens
Commissioner	Burton S. Kruglick

Also Present: Lonny T. Powell - ADOR Director, Elizabeth Campbell, Assistant Attorney General, and Kim McCollum- Commission Secretary

### A. Call to Order

**Chair Ulan** called the 603<sup>rd</sup> Regular Meeting of the Arizona Racing Commission to order at 10:05 a.m.

- a. 601<sup>st</sup> Regular Meeting held on Wednesday, November 10, 2010 – **Commissioner Owens** moved for approval. **Chair Ulan** seconded the motion. **All in favor.**
- b. Special Telephonic Meeting held on Thursday, December 02, 2010 – **Commissioner Owens** moved for approval. **Chair Ulan** seconded the motion. **All in favor.**
- c. 602<sup>nd</sup> Regular Telephonic Meeting held on Wednesday, January 12, 2011- **Commissioner Kruglick** moved for approval. **Chair Ulan** seconded the motion. **All in favor.**
- d. Special Telephonic Meeting held on Friday, February 11, 2011- **Commissioner Kelly** moved for approval. **Chair Ulan** seconded the motion. **All in favor.**

The following matters were discussed, considered and decided at the meeting:

### B. Information Reports

1. **Department Review and Update Presentation** – **Director Powell** made a presentation to the Commission on the status of the Department's budget and self-funding proposal.

2. **Introduction and remarks of new Acting General Manager for Yavapai Downs** – **Mike Mullaney** shared his background information, which included his most recent experience at Gulfstream Park. He further shared some of his immediate plans for Yavapai Downs. **Commissioner Kruglick** asked if Yavapai Down's budget included outstanding debt. **Mr. Mullaney** replied that it did and they have begun paying it off. **Director Powell** asked Mr. Mullaney to share his vision for Yavapai, the status of the stall applications and the racing secretary and any information that he could provide on the overall status of Yavapai Downs.

### 3. Permittee Reports –

- **Yavapai Downs- Mr. Mullaney, Acting General Manager** reported that two priority issues were the aesthetics/image and awareness. He stated that the facility had been described as filthy, run down, and dirty and that he was working to get it cleaned up and ready for national television. **Mr. Mullaney** further stated that awareness was an issue because most of the community was unaware that the track existed. **Mr. Mullaney** stated that he was working to establish a municipal involvement from the Mayor, City Manager, and County Supervisor. **Mr. Mullaney** stated that stall applications were mailed out and were available online. **Mr. Mullaney** further reported that for the Racing Secretary position, the current racing secretary would be considered for the position if he was interested. There was a lot of interest in the position and hopefully it would be filled soon. **Mr. Mullaney** went on to state that over the weekend, the staff would be reviewing the financials and, hopefully, able to provide the Commission with a report in the near future. In closing **Mr. Mullaney** reported he would be meeting with Tom Metzen and Jerry Simms regarding some contracts written in the past.
- **Turf Paradise – No Report**
- **Tucson Greyhound Park – Tom Taylor, General Manager** stated that he had nothing to report. **Commissioner Owens** asked what the status of the rebuild was. **Mr. Taylor** replied that progress had been made. **Director Powell** asked if **Mr. Taylor** could share what had been worked on so far. **Mr. Taylor** replied

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that all of the interior building had been painted, all the floors redone, and a new roof had been put on the building. **Mr. Taylor** further stated that the restrooms and towers were being worked on and that the Stewards and auditors had returned to their offices.

- **Rillito – Patricia White, General Manager**, reported that the meet was successful due to help from the Department, an average daily attendance of 4600, subsidies from the OTB's, and operation of the concessions. **Ms. White** stated that they intend to ask for a longer meet next year, hopefully 10 weeks. **Ms. White** further stated that they were in the process of having an announcer stand designed. Overall, they were looking forward to another good year. **Commissioner Owens** inquired about the status of the lease. **Ms. White** reported that they have three more years left in a renewable lease which would be reviewed every year and can be cancelled with 30 days notice. **Director Powell** stated that Rillito requesting 10 weeks to race more would be a real economic challenge for the Department under its current budgetary restraints. **Director Powell** advised that there would need to be more discussion on possible additional dates at another time. He also commended them for a job well done. **Ms. White** reported that they were planning fundraisers for this year. **Director Powell** asked how it was to fill the races. **Ms. White** stated that it was easy because they have excited spectators and people that plan their vacation around Rillito running.
- **American Greyhound Racing – Dan Luciano, General Manager** stated that he had nothing to report.
- **County Fairs – No Report**

#### 4. Industry Legislative Updates –

- **Tucson Greyhound Park (HB 2536) – Tom Taylor**, stated the bill was a request to allow them to run 100 live race days versus 4 days a week for 50 weeks a year in order to keep simulcasting and OTB's. **Mr. Taylor** stated that the bill would provide them with the flexibility to adjust race days without losing simulcasting. **Mr. Taylor** further reported that the bill had gone through the House and was on its way to the Senate. **Chair Ulan** asked who sponsored the bill. **Mr. Taylor** replied that it was Vick Williams. **Director Powell** asked **Mr. Taylor** if the new legislation was going to impact Tucson Greyhound Park's schedule in the near future. **Mr. Taylor** replied he did not believe so since they were better off economically to run their current schedule of live days.
- **Other Industry Related Legislation – None**

#### C. New Business

1. **Request to Amend FY 2011 Racing Dates for Santa Cruz County Fairs-** **Director Powell** reported that Santa Cruz made a request to delete 2 of their 4 race days and run 8 races a day during the Kentucky Derby weekend. The request was to delete April 30 and May 01, 2011. Department recommended approval of the request. **Commissioner Owens** moved to approve an amended schedule and delete April and May 01, 2011. **Chair Ulan** seconded. **All in favor.**
2. **Approval of Department's Implementation of 1-year Licenses-** **Director Powell** gave the history of the 1 year licenses. **Assistant Director Nolan Thompson** provided the Commission with more details, such as dates and license categories affected by the 1 year license. **Mr. Thompson** further reported that licensees with 3 year expiration date would not be affected by this change until their current license expired. **Tom Taylor** asked if the badges would provide a visible way to easily distinguish between the one year and the 3 year licenses. **Assistant Director** replied that the language on the badges would be different. **Director Powell** replied that the topic would be left open for discussion. **Commissioner Kruglick** moved to approve the Department's implementation of 1 year licenses. **Commissioner Owens** seconded. **All in favor.**
3. **Election of Racing Commission Chair and Vice-Chair -** There was some discussion. **Chair Ulan** moved to nominate **Commissioner Owens** as Chair of the Arizona Racing Commission. **Commissioner Kelly** seconded. **All in favor.** **Chair Ulan** moved to nominate **Commissioner McDonald** as Vice-Chair of the Arizona Racing Commission. **Commissioner Owens** seconded. **All in favor.**

#### D. Commission Reports

- a. **Director's Announcement of New Commission Appointments – Director Powell** reported that **Commissioner Owens** was re-appointed and **Chair Ulan** was replaced by a new appointee, **Jay McClintock**. **Director Powell** further reported that both appointments were pending Senate confirmation. **Chair Ulan** stated that it was an honor and pleasure to serve and that he would try to help out as much as possible. **Commissioner Owens** offered her appreciation for **Chair Ulan's** service and his ability to embrace the industry differences. **Director Powell** stated that he appreciated that **Chair Ulan** came with no agenda and he left with no agenda and that he wished him well.

The next regular Commission meeting will be held **Wednesday, April 13, 2011, at 10:00 a.m.** in the Building Conference Room, Suite 250, at 1110 West Washington Street, Phoenix, Arizona 85007.

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## E. Call to the Public

**Loretta Brasher** – invited the Commissioners to the Legislative Dinner scheduled for later that evening.

## Adjournment

**Commissioner Owens** moved to adjourn the meeting. **Chair Ulan** seconded the motion. **All in Favor**  
This public meeting adjourned at 11:09 a.m.

Dated this 11<sup>th</sup> day of April, 2011

Arizona Racing Commission

By Kim McCollum  
Kim McCollum, Commission Secretary